

# Notice of Allowability

Application No.

10/502,296

Examiner

Sow-Fun Hon

Applicant(s)

ADACHI ET AL.

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1772

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/19/06.
2. ☒ The allowed claim(s) is/are 1,6,8,10 and 12-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 01/05/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 1/03/07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew Melick on January 3, 2007.

The application has been amended as follows:

2. Claim 2 is cancelled.
3. Amend claim 1: Substitute lines 1-7 with
  - - An optical compensation plate comprising an optical compensation layer, and an anti-cracking layer which is laminated directly on at least one surface of the optical compensation layer, wherein a microhardness of the anti-cracking layer ranges from 0.1 to 0.5 GPa, said anti-cracking layer is formed of a curable adhesive agent which comprises at least one thermosetting resin-based adhesive selected from the group consisting of an epoxy resin, an isocyanate resin and a polyimide resin, and said optical compensation layer is a cholesteric layer whose constituent molecules are aligned in the form of a cholesteric structure, wherein - -
4. Amend specification: page 1, above header "Technical Field", enter as line 1:
  - - This application is a 371 of PCT/JP03/00508 filed January 22<sup>nd</sup>, 2003. - -

***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance.

The closest cited prior art of record, US 5,863,457, fails to teach or suggest even in view of US 6,773,766, US 5,506,704, US 5,193,020, US 5,976,297, and US 5,717,474, the combination of an optical compensation plate comprising an optical compensation layer, and an anti-cracking layer which is laminated directly on at least one surface of the optical compensation layer, wherein a microhardness of the anti-cracking layer ranges from 0.1 to 0.5 GPa, said anti-cracking layer is formed of a curable adhesive agent which comprises at least one thermosetting resin-based adhesive selected from the group consisting of an epoxy resin, an isocyanate resin and a polyimide resin, and said optical compensation layer is a cholesteric layer whose constituent molecules are aligned in the form of a cholesteric structure, wherein the constituent molecule of the cholesteric layer is produced from a liquid crystal monomer and a chiral dopant, the liquid crystal monomer is selected from the group consisting of a compound represented by formulae 4-19, and the chiral dopant is selected from the group consisting of a compound represented by formulae 24-44. Applicant's specification shows good anti-cracking results when laminating the anti-cracking layer to the cholesteric layer whose constituent molecules are formed from the liquid crystal monomer representative of the family of compounds represented by formulae 4-19 and the chiral dopant monomer representative of the family of compounds represented by formulae 24-44 (Table 1, [0147]). None of the references teach the microhardness of the anti-cracking layer of 0.1 to 0.5 GPa, formula 44, or specify that the constituent

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molecule of the cholesteric layer is formed from the liquid crystal monomer and the chiral dopant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (571)272-1498. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*S. Hon*

Sow-Fun Hon

01/08/07

*[Signature]*  
HENA DYE  
SUPERVISORY PATENT EXAMINER  
Leah Carter 1720

Continuation of Attachment(s) 9. Other: The drawing filed 7/22/04 is accepted by the examiner.